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**OFFICE OF PETITIONS
ON PETITION**

In re Application of :
Alfred T. Sapse :
Application No. 09/234,532 :
Filed: January 21, 1999 :
Attorney Docket No. 02022097 :

This is a decision on the petition under 37 CFR 1.137(b), filed September 16, 2002, to revive the above-identified application.

The petition is **GRANTED**.

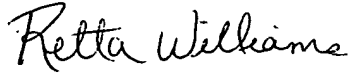
The above-identified application became abandoned for failure to reply in a timely manner to the final Office action mailed April 10, 2001, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the application became abandoned on July 11, 2001.

The Revocation and Power of Attorney submitted with the instant petition is not acceptable since it was signed by the assignee and not accompanied by a Certificate under 3.73(b). In order for the Revocation and Power of Attorney to be accepted, a Certificate under 3.73(b) must be submitted. While a courtesy copy of this decision is being mailed to the person signing the instant petition, all future correspondence will be directed to the address of record until such time as appropriate instructions are received to the contrary.

An extension of time under 37 CFR 1.136 must be filed prior to the expiration of the maximum extendable period for reply. See In re Application of S., 8 USPQ2d 1630, 1631 (Comm'r Pats. 1988). Accordingly, since the \$460 extension of time submitted with the petition on September 16, 2002 was subsequent to the maximum extendable period for reply, this fee is unnecessary and will be credited to petitioner's deposit account number 13-0019.

Telephone inquiries concerning this decision should be directed to Retta Williams at (703) 306-5594 or in my absence, Sherry Brinkley at (703) 305-9220.

The application file is being forwarded to Technology Center 1600, Art Unit 1623 for processing the Request for Continued Examination under 37 CFR 1.114 filed with the instant petition.



Retta Williams
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy



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